

<b>TRANSMITTAL</b> <b>FORM</b>		<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>JAN 23 2007</b>		Application No.: <b>10/675,002</b>
				Filing Date: <b>September 30, 2003</b>
				First Named Inventor: <b>Campbell et al</b>
				Group Art Unit: <b>2133</b>
				Examiner: <b>Alphonse, Fritz</b>
Total Number of Pages in this Submission: <b>15</b>		Docket No.: <b>EMC-03-046</b>		
<b>ENCLOSURES (check all that apply)</b>				
<input checked="" type="checkbox"/> Transmittal with Authorization for the Commissioner to charge Deposit Account No. 05-0889 (in duplicate)	<input type="checkbox"/> Assignment Recordation Cover Sheet	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate)		
<input checked="" type="checkbox"/> Amendment/Response to Non Final Office Action	<input type="checkbox"/> Declaration/Power of Attorney	<input type="checkbox"/> Continued Prosecution Application (CPA)		
<input type="checkbox"/> After Final	<input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate)		
<input type="checkbox"/> Affidavits/Decl. Terminal Disclaimer	<input type="checkbox"/> Revocation of Power of Attorney	<input checked="" type="checkbox"/> Fee Transmittal		
<input checked="" type="checkbox"/> Extension of Time Request for 2 Months	<input type="checkbox"/> Formal Drawings	<input checked="" type="checkbox"/> Certificate of Mailing or Transmission [37 CFR 1.8]		
<input checked="" type="checkbox"/> Applicant Initiated Interview Request Form	<input type="checkbox"/> Letter to Official Draftsperson with 5 sheets of Formal Drawings, Figs. 1-5, labeled.	<input type="checkbox"/> Certificate of Express Mail Mailing		
	<input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review"	<input type="checkbox"/> Postcard		
	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Additional Enclosures:		
<b>SIGNATURE OF APPLICANT, ATTORNEY OR AGENT</b>				
Date: <u>1/23/07</u>		Signature: <u>Scott A. Ouellette</u>		
Tel: (508) 435-1000, ext. 77835 Fax: (508) 497-6915		Scott A. Ouellette, Esq. (Reg. No. 38,573) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748-9103		
<b>CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]</b>				
I hereby certify that this correspondence and the above-referenced documents are being:				
<input type="checkbox"/> Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.				
<input checked="" type="checkbox"/> Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (571) 273-8300				
Date: <u>1/23/07</u>		Signature: <u>Linda Valanzola</u>		
		Linda Valanzola Typed or printed name of person signing certificate		

G:/Scott/ProsecutionLV/EMC-03-046 Transmittal NonFinal 8-23-06.doc

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Jan-23-2007 11:34 From-EMC LAW DEPARTMENT

5084976915 JAN 23 2007 T-412 P.005 F-783

<p><i>Effective 12/08/2004.</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p><b>Complete if Known</b></p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number <b>10/675,002</b>	
		Filing Date <b>September 30, 2003</b>	
		First Named Inventor <b>Brian K. Campbell</b>	
		Examiner Name <b>Fritz Alphonse</b>	
		Art Unit <b>2133</b>	
TOTAL AMOUNT OF PAYMENT <b>(\$)</b> 450.00		Attorney Docket No. <b>EMC-03-046</b>	

DUPLICATE

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account   Deposit Account Number: <b>05-0889</b> Deposit Account Name: <b>EMC Corporation</b>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input checked="" type="checkbox"/> Credit any overpayments	
<p><small>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</small></p>	

<b>FEE CALCULATION</b>				
Fee Code	37 CFR	Fee(s)	Fee Description	Fee Paid
1051	116(e)	130	Surcharge - late filing fee or oath	
1052	1.06(i)	50	Surcharge - late provisional filing fee or cover sheet	
1812	1.20(c)(1)	2520	Request for <i>ex parte</i> reexamination	
1804	1.17(n)	920	Requesting publication of SIR prior to Examiner action	
1805	1.17(o)	1840	Requesting publication of SIR after Examiner action	
1251	1.17(a)(1)	120	Extension for reply within first month	
1252	1.17(a)(2)	450	Extension for reply within second month	450.00
1253	1.17(a)(3)	1020	Extension for reply within third month	
1254	1.17(a)(4)	1590	Extension for reply within fourth month	
1255	1.17(a)(5)	2160	Extension for reply within fifth month	
1401	41.20(b)(1)	500	Notice of Appeal	
1402	41.20(n)(2)	500	Filing a brief in support of an appeal	
1403	41.20(b)(3)	1000	Request for oral hearing	
1451	1.17(j)	1510	Petition to institute a public use proceeding	
1452	1.17(l)	500	Petition to revive - unavoidable	
1453	1.17(m)	1500	Petition to revive - unintentional	
1501	1.18(a)	1400	Utility issue fee	
1502	1.18(b)	800	Design issue fee	
1503	1.18(c)	1100	Plant issue fee	
1807	1.17(q)	50	Processing fee for provisional applications	
1806	1.17(p)	180	Submission of Information Disclosure Statement	
8021	1.21(h)	40	Recording each patent assignment per property (times number of properties)	
1809	1.17(r)	790	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	1.17(s)	790	For each additional invention to be examined (37 CFR 1.129(b))	
1801	1.17(e)	790	Request for Continued Examination (RCE)	
1802	1.17(k)	900	Request for expedited examination of a design application	
Other fee (specify) _____				
<b>TOTAL</b>				<b>(\$)</b> 450.00

<b>SUBMITTED BY</b>		<b>TOTAL</b> (\$450.00)	
Signature		Registration No. (Attorney/Agent)	38,573
Name (Print/Type)	Scott A. Ouellette	Telephone	508-293-7835
		Date	1/23/07

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jan-23-2007 11:35

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5084976915

T-412 P.006/015 F-783

<p><i>Effective 12/08/2004.</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p><b>Complete if Known</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Application Number</td> <td>10/675,002</td> </tr> <tr> <td>Filing Date</td> <td>September 30, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Brian K. Campbell</td> </tr> <tr> <td>Examiner Name</td> <td>Fritz Alphonse</td> </tr> <tr> <td>Art Unit</td> <td>2133</td> </tr> <tr> <td>Attorney Docket No.</td> <td>EMC-03-046</td> </tr> </table>		Application Number	10/675,002	Filing Date	September 30, 2003	First Named Inventor	Brian K. Campbell	Examiner Name	Fritz Alphonse	Art Unit	2133	Attorney Docket No.	EMC-03-046
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		Date	1/23/07

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JAN 23 2007

PTOL-413A (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**

Application No.: 10/675,002 First Named Inventor: Brian K. Campbell  
 Examiner: Alphonse, Fritz Art Unit: 2133 Status of Application: pending

**Tentative Participants:**

(1) Fritz Alphonse (2) Albert De Cady  
 (3) Scott Ouellette (4) \_\_\_\_\_

Proposed Date of Interview: \_\_\_\_\_ Proposed Time: \_\_\_\_\_ AM/PM

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj. etc.)	Claims/ Figs. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1-6,8,10-20</u>	<u>Kagan</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

Kagan does not teach the invention recited in independent claims 1,6,10 and 14. The examiner has failed to specifically point out the elements in Kagan on which the rejections are based.

An interview was conducted on the above-identified application on \_\_\_\_\_

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Scott A. Ouellette  
 Applicant/Applicant's Representative Signature

\_\_\_\_\_  
 Examiner/SPE Signature

Scott A. Ouellette

Typed/Printed Name of Applicant or Representative

38,573

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.